

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgtf.com

JC685 U.S. -PTO



01/26/01



ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL O. LEE

STEVEN R. LUDWIG
JOHN M. COVERT*
LINDA E. ALCORN
ROBERT C. MILLONIG
MICHAEL V. MESSINGER
JUDITH U. KIM
TIMOTHY J. SHEA, JR.
DONALD R. MCPHAIL
PATRICK E. GARRETT
STEPHEN G. WHITESIDE
JEFFREY T. HELVEY*
HEIDI L. KRAUS

JEFFREY R. KURIN
RAYMOND MILLIEN
PATRICK D. O'BRIEN
LAWRENCE B. BUGAISKY
CRYSTAL D. SAYLES
EDWARD W. YEE
ALBERT L. FERRO*
DONALD R. BANOWIT
PETER A. JACKMAN
MOLLY A. MCCALL
TERESA U. MEDLER
JEFFREY S. WEAVER

KRISTIN K. VIDOVICH
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE
GRANT E. REED
VINCENT L. CAPUANO
JOHN A. HARROUN*
ALBERT J. FASULO II*
W. BRIAN EDGE*
ELDORA ELLISON FLOYD*
W. RUSSELL SWINDELL
THOMAS C. FIALA

KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
BRIAN J. DEL BUONO**
ANDREA J. KAMAGE**
NANCY J. LEITH**
ELIZABETH J. HAANES**
MARK P. TERRY**
TARJA H. NAUKKARINEN**

*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENTS

January 26, 2001

WRITER'S DIRECT NUMBER:
(202) 789-5524

INTERNET ADDRESS:
JKURIN@SKGF.COM

Box Patent Application

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Divisional Patent Application under 37 C.F.R. § 1.53(b)
(claiming priority to U.S. Appl. No. 09/296,285; filed: April 22, 1999)
Appl. No. (to be assigned); Filed: Herewith
For: **Kit for Transvenously Accessing the Pericardial Space Via the Right
Atrium (As Amended)**
Inventors: Verrier *et al.*
Our Ref: 1565.0020002

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. Fee Transmittal Form PTO/SB/17 (in duplicate);
2. USPTO Utility Patent Application Transmittal Form PTO/SB/05;
3. Application Data Sheet;
4. U.S. Divisional Patent Application entitled:

Kit for Transvenously Accessing the Pericardial Space Via the Right Atrium

09/769439-01501

Commissioner for Patents

January 26, 2001

Page 2

and naming as inventors:

Richard L. Verrier

Sergio Waxman

the application comprising:

- a. specification containing:
 - i. 26 pages of description prior to the claims;
 - ii. 13 pages of claims (41 claims);
 - iii. a one (1) page abstract;
- b. Nine (9) sheets of drawings: (Figures 1-10);
- c. A copy of the executed combined Declaration and Power of Attorney, as originally filed in U.S. Appl. No. 09/296,285;
- d. A copy of the Statement Claiming Small Entity Status--Non-Profit Organization, as originally filed in U.S. Appl. No. 09/296,285;
5. 37 C.F.R. § 1.136(a)(3) Authorization to Treat a Reply As Incorporating An Extension of Time (in duplicate);
6. A Preliminary Amendment;
7. Letter to PTO Draftsman: Submission of Formal Drawings;
8. Nine (9) sheets of Formal Drawings, approval of which is respectfully requested;
9. An Information Disclosure Statement (IDS);
10. Form PTO-1449 (4 pages) with 53 accompanying documents;
11. Two (2) return postcards; and
12. Our check No. 30161 for \$ 355.00 to cover:
\$ 355.00 for Filing fee for patent application.

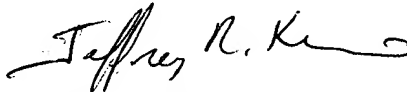
09/296,285-012601

Commissioner for Patents
January 26, 2001
Page 3

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey R. Kurin
Attorney for Applicants
Registration No. 41,132

JRK/agj
P:\USERS\AGJONES\EGROUP\Jrk\15650022.cvl\divisionalappln
019.APP
SKGF Rec. 5/12/00 mac

00769439-013601

Please type a sign (+) inside this box →

PTO/SB/05 (11-00)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No. 1565.0020002

First Inventor Verrier

Title Kit for Transvenously Accessing the Pericardial Space of the Right Atrium (As Amended)

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 40]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table,
or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 9]
5. ☒ Oath or Declaration [Total Pages 2]
a. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR §§
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program
(Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Authorization under 37 C.F.R. § 1.136(a)(3)
Letter to PTO Draftsman: Submission of Formal Drawings
Nine (9) sheets of Formal Drawings
A copy of a Statement Claiming Small Entity Status--Non-
Profit Organization, as originally filed in U.S. Appl. No.
09/296,285

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-Part (CIP) of prior application No: 09/296,285Prior application information: Examiner M. MendezGroup/Art Unit: 3763

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
Attorneys at Law

ADDRESS Suite 600, 1100 New York Avenue, N.W.

CITY Washington STATE DC ZIP CODE 20005-3934

COUNTRY USA TELEPHONE (202) 371-2600 FAX (202) 371-2540

NAME (Print/Type) Jeffrey R. Kurin Registration No. (Attorney/Agent) 41,132

SIGNATURE Jeffrey R. Kurin Date 1/26/01

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Under the Work Reduction Act of 1995, no persons are required to respond to a

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	(to be assigned)
Filing Date	Herewith
First Named Inventor	Verrier
Examiner Name	(to be assigned)
Group Art Unit	(to be assigned)
Attorney Docket No.	1565.0020002

TOTAL AMOUNT OF PAYMENT (\$)
355.00

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number: 19-0036
Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☒ Other*
*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION

BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	\$355.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)					355.00

2. EXTRA CLAIM FEES

2. EXTRA CLAIM FEES				Extra	Fee from below	Fee Paid
Total Claims				<u>12 - 20** =</u>	<u>0 X \$9.00</u>	<u>= \$0.00</u>
Indep. Claims				<u>2 - 3** =</u>	<u>0 X \$40.00</u>	<u>= \$0.00</u>
Multiple Dependent					<u>\$135.00</u>	<u>= \$0.00</u>
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description		
103	18	203	9	Claims in excess of 20		
102	80	202	40	Independent claims in excess of 3		
104	270	204	135	Multiple dependent claim		
108	80	209	40	**Reissue independent claims over original patent		
110	18	210	9	**Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2)				(\$)		0.00

** or number previously paid, if greater; For Reissues, see above

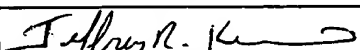
3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify):					
Other fee (specify):					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					0.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Jeffrey R. Kurin Attorney for Applicants	Registration No. (Attorney/Agent)	41,132	Telephone	202-371-2600
Signature		Date	1/26/01		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
081.PTO/SKGF Rev. 11/13/00 mnac

JRG/agj/15650022.feetransmittaldivappln

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Verrier *et al.*

Appl. No. (to be assigned)
(this is a divisional of U.S. Patent Appl.
No. 09/296,285, filed: April 22, 1999)

Filed: Herewith

For: **Kit for Transvenously Accessing
the Pericardial Space Via the
Right Atrium** (As Amended)

Art Unit: (to be assigned)

Examiner: (to be assigned)

Atty. Docket: 1565.0020002

**Authorization To Treat A Reply As Incorporating An Extension Of Time
Under 37 C.F.R. § 1.136(a)(3)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jeffrey R. Kurin
Attorney for Applicants
Registration No. 41,132

Date: 1/26/01
1100 New York Avenue, N.W., Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

09/25/01 63697/60 PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Verrier *et al.*

Appl. No. (to be assigned)
(this is a divisional of U.S. Patent Appl.
No. 09/296,285, filed: April 22, 1999)

Filed: Herewith

For: **Kit for Transvenously Accessing
the Pericardial Space Via the
Right Atrium (As Amended)**

Art Unit: (to be assigned)

Examiner: (to be assigned)

Atty. Docket: 1565.0020002

Letter to PTO Draftsman: Submission of Formal Drawings

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith are Nine (9) sheets of formal drawings with Figures 1-10, corresponding to the informal drawings submitted with the above-captioned application. Identification of the drawings is provided in accordance with 37 C.F.R. § 1.84(c). Acknowledgment of the receipt, approval, and entry of these formal drawings into this application is respectfully requested.

It is not believed that an extension of time is required, other than any already provided herewith. However, if an extension of time is needed to prevent abandonment of the application, then such extension of time is hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this Letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey R. Kurin
Attorney for Applicants
Registration No. 41,132

Date: 1/26/01
1100 New York Avenue, N.W., Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

JRK/egj
054/PTO

09769439 01260
T09270 65469260